

09/728653

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CERTIFICATE OF MAILING

I hereby certify that the paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to the: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

James Epperson

Type or print name



Signature

September 16, 2004

Date

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF

WEI HAN

PATENT NO: 6,774,212 B2

ISSUED: AUGUST 10, 2004

FOR: ALPHA-KETOAMIDE INHIBITORS OF
HEPATITIS C VIRUS NS3 PROTEASE

Mail Stop: PGPUB

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

PETITION TO CORRECT PATENT TERM ADJUSTMENT PERIOD
IN GRANTED PATENT

Sir:

The granted patent erroneously lists the patent term adjustment period as 107 days. The Determination of Patent Term Adjustment under 35 U.S.C. 154(b) erroneously lists the patent term adjustment as 62 days. The patent term adjustment history from PAIR shows the USPTO Delay as 253 days and the Applicant Delay as 130 days. The term was reduced by 41 days due to "Workflow -Drawings finished" which is incorrect. There are no drawings in this case and therefore we request that the 41 day reduction be removed and the term be re-adjusted to 164 days.

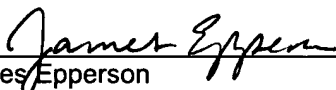
Enclosed is a copy of the cover page of the patent, copy of Determination of Patent Term Adjustment under 35 U.S.C. 154 (b) received with the Notice of Allowance, copy of Image File Wrapper from PAIR and copy of Patent Term Adjustment History from PAIR for your convenience.

Applicant believes this error is ascribable to the Patent Office, applicant is requesting re-consideration of the patent term adjustment within two months of the date of the issued patent under §1.705(d). Accordingly, no fees are required. However, if this is incorrect, the Commissioner is hereby authorized to charge the \$200 fee under 37 CFR §1.18(e) and any additional fees that may be required to Deposit Account No. 19-3880 in the name of Bristol-Myers Squibb Company.

Respectfully submitted,

Bristol-Myers Squibb Company
Patent Department
P.O. Box 4000
Princeton, NJ 08543-4000
203-677-6974
Date:

9/16/2004


James Epperson
Agent for Applicant
Reg. No. 52,867



US006774212B2

(12) **United States Patent**
Han(10) **Patent No.:** **US 6,774,212 B2**
(45) **Date of Patent:** **Aug. 10, 2004**(54) **ALPHA-KETOAMIDE INHIBITORS OF
HEPATITIS C VIRUS NS3 PROTEASE**(75) **Inventor:** **Wei Han, Newark, DE (US)**(73) **Assignee:** **Bristol-Myers Squibb Pharma
Company, Princeton, NJ (US)**(*) **Notice:** Subject to any disclaimer, the term of this
patent is extended or adjusted under 35
U.S.C. 154(b) by 107 days.(21) **Appl. No.:** **09/728,653**(22) **Filed:** **Dec. 1, 2000**(65) **Prior Publication Data**

US 2002/0123468 A1 Sep. 5, 2002

Related U.S. Application Data(60) **Provisional application No. 60/168,998, filed on Dec. 3,
1999.**(51) **Int. Cl.⁷** **C07K 5/08**(52) **U.S. Cl.** **530/331; 530/330; 514/17;
514/18; 514/19**(58) **Field of Search** **530/328-331;
514/16-19**(56) **References Cited****U.S. PATENT DOCUMENTS**5,162,500 A * 11/1992 Takeuchi et al. 530/330
5,541,290 A * 7/1996 Harbeson et al. 530/330
6,291,640 B1 * 9/2001 Bailey et al. 530/330**FOREIGN PATENT DOCUMENTS**

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WO	96/16079	5/1996
WO	WO 98/17679	4/1998
WO	WO 98/29435	7/1998
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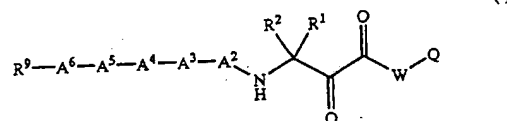
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Primary Examiner—Robert A. Wax**Assistant Examiner**—David Lukton(74) **Attorney, Agent, or Firm**—James Epperson; Scott K.
Larsen(57) **ABSTRACT**The present invention relates to ketoamide and ketoester
compounds of Formula (I):wherein W is —NH— or —O—, or stereoisomeric forms,
stereoisomeric mixtures, or pharmaceutically acceptable salt
forms thereof, which are useful as inhibitors of HCV NS3
protease, and to pharmaceutical compositions and diagnostic
kits comprising the same, and methods of using the same for
treating viral infection or as an assay standard or reagent.

6 Claims, No Drawings



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APPLICATION NO.	FILING DATE	INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/728,653	12/01/2000	Wei Han	PH-7118	5964
23914	7590	01/02/2004	EXAMINER	
STEPHEN B. DAVIS BRISTOL-MYERS SQUIBB COMPANY PATENT DEPARTMENT P O BOX 4000 PRINCETON, NJ 08543-4000			LUKTON, DAVID	
			ART UNIT	PAPER NUMBER
			1653	

DATE MAILED: 01/02/2004

Determination of Patent Term Adjustment under 35 U.S.C. 154 (b)
(application filed on or after May 29, 2000)

The Patent Term Adjustment to date is 62 day(s). If the issue fee is paid on the date that is three months after the mailing date of this notice and the patent issues on the Tuesday before the date that is 28 weeks (six and a half months) after the mailing date of this notice, the Patent Term Adjustment will be 62 day(s).

If a Continued Prosecution Application (CPA) was filed in the above-identified application, the filing date that determines Patent Term Adjustment is the filing date of the most recent CPA.

Applicant will be able to obtain more detailed information by accessing the Patent Application Information Retrieval (PAIR) system (<http://pair.uspto.gov>).

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office of Patent Legal Administration at (703) 305-1383. Questions relating to issue and publication fee payments should be directed to the Customer Service Center of the Office of Patent Publication at (703) 305-8283.

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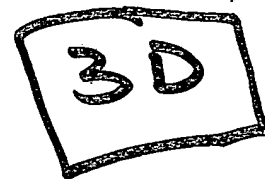
ALPHA-KETOAMIDE INHIBITORS OF HEPATITIS C VIRUS NS3 PROTEASE

Patent Term Adjustment History

Patent Term Adjustment (PTA) for Application Number: 09/728,653			
			Days
Filing or 371(c) Date:	12-01-2000	USPTO Delay (PTO):	253
Issue Date of Patent:	08-10-2004	Three Years:	-
Pre-Issue Petitions (days):	+0	Applicant Delay(APPL):	130
Post-Issue Petitions (days):	+0	Total PTA:	123
USPTO Adjustment(days):	+0	Explanation Of Calculations	
Patent Term Adjustment History			
Date	Contents Description	PTO(Days)	APPL (Days)
08-10-2004	Patent Issue Date Used in PTA Calculation	86	
07-21-2004	PTA 36 Months	16	
07-06-2004	Receipt into Pubs	↑	
07-01-2004	Dispatch to FDC	↑	
07-01-2004	Application Is Considered Ready for Issue	↑	
07-01-2004	Workflow - Drawings Finished	↑	41
06-28-2004	Receipt into Pubs	↑	
02-18-2004	Sequence Forwarded to Pubs on Tape	↑	
02-16-2004	Receipt into Pubs	↑	
02-13-2004	Workflow - File Sent to Contractor	↑	
01-16-2004	Mailroom Date of Issue Fee Payment	↑	
01-16-2004	Issue Fee Payment Recorded	↑	
01-02-2004	Mail Notice of Allowance	↑	
12-31-2003	Issue Revision Completed	↑	
12-31-2003	Notice of Allowance Data Verification Completed	↑	
12-31-2003	Notice of Allowability	↑	
11-06-2003	Date Forwarded to Examiner	↑	
10-10-2003	Response after Non-Final Action	↑	
09-24-2003	Mail Non-Final Rejection	↑	
09-23-2003	Non-Final Rejection	↑	
07-22-2003	Date Forwarded to Examiner	↑	
07-03-2003	Response after Non-Final Action	↑	
06-18-2003	Mail Non-Final Rejection	↑	
06-18-2003	Non-Final Rejection	↑	
05-28-2003	Date Forwarded to Examiner	↑	
05-19-2003	Response after Non-Final Action	↑	89
05-19-2003	Request for Extension of Time - Granted	↑	↑
11-19-2002	Mail Non-Final Rejection	↑	↑
11-18-2002	Non-Final Rejection	↑	
09-19-2002	CRF Is Good Technically / Entered into Database	↑	

09-13-2002	Date Forwarded to Examiner	151
09-03-2002	Response to Election / Restriction Filed	151
09-03-2002	Request for Extension of Time - Granted	151
07-02-2002	Mail Restriction Requirement	151
07-01-2002	Requirement for Restriction / Election	151
08-22-2001	Information Disclosure Statement (IDS) Filed	151
02-24-2001	Case Docketed to Examiner in GAU	151
02-02-2001	Application Dispatched from OIPE	151
01-10-2001	Correspondence Address Change	151
01-10-2001	Correspondence Address Change	151
01-02-2001	IFW Scan & PACR Auto Security Review	151
12-01-2000	Initial Exam Team nn	151

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Transaction History

Date	Contents Description
08-11-2004	Sequence Moved to Public Database
08-10-2004	Recordation of Patent Grant Mailed
07-22-2004	Issue Notification Mailed
08-10-2004	Patent Issue Date Used in PTA Calculation
07-06-2004	Receipt into Pubs
07-01-2004	Dispatch to FDC
07-01-2004	Application Is Considered Ready for Issue
07-01-2004	Workflow - Drawings Finished
01-16-2004	Mailroom Date of Issue Fee Payment
06-28-2004	Receipt into Pubs
02-18-2004	Sequence Forwarded to Pubs on Tape
02-16-2004	Receipt into Pubs
02-13-2004	Workflow - File Sent to Contractor
01-16-2004	Issue Fee Payment Recorded
01-02-2004	Mail Notice of Allowance
12-31-2003	Issue Revision Completed
12-31-2003	Notice of Allowance Data Verification Completed
12-31-2003	Notice of Allowability
11-06-2003	Date Forwarded to Examiner
10-10-2003	Response after Non-Final Action
09-24-2003	Mail Non-Final Rejection
09-23-2003	Non-Final Rejection
07-22-2003	Date Forwarded to Examiner
07-03-2003	Response after Non-Final Action
06-18-2003	Mail Non-Final Rejection
06-18-2003	Non-Final Rejection
05-28-2003	Date Forwarded to Examiner
05-19-2003	Response after Non-Final Action
05-19-2003	Request for Extension of Time - Granted
11-19-2002	Mail Non-Final Rejection
11-18-2002	Non-Final Rejection
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09-13-2002	Date Forwarded to Examiner
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07-01-2002	Requirement for Restriction / Election
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02-24-2001	Case Docketed to Examiner in GAU
02-02-2001	Application Dispatched from OIPE
01-10-2001	Correspondence Address Change
01-10-2001	Correspondence Address Change
01-02-2001	IFW Scan & PACR Auto Security Review
12-01-2000	Initial Exam Team nn

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